

**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 10/02/2018**

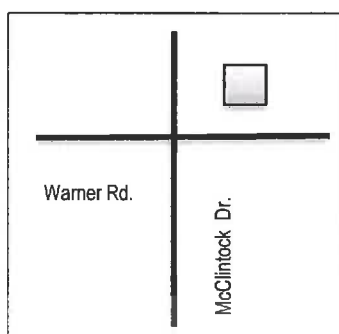
**Agenda Item: 3**

**ACTION:** Request approval to abate public nuisance items at the Webb Property (2) located at 8630 S. Hazelton Lane. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$1691.00 for abatement request, removal of over-height grass/weeds, dead vegetation and landscape debris in the front and back yards, and removal of bee hive and infestation in the back yard.

**RECOMMENDATION:** Staff – Approval of 180 day open abatement

**BACKGROUND INFORMATION:** City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the WEBB PROPERTY (2). The details of this case represent several months of correspondence for compliance with the property owner. Staff requests the approval of abatement of the following nuisance items under Complaint CE184123: removal of over-height grass/weeds, dead vegetation and landscape debris in the front and back yards, and removal of bee hive and infestation in the back yard.



Property Owner	Alfred Webb
Applicant	City of Tempe – Code Compliance
Zoning District:	R1-7, Single Family Residential
Code Compliance Inspector:	Jack Scofield, Code Inspector

**ATTACHMENTS:** Supporting Attachment

**STAFF CONTACT:** Drew Yocom, Planning & Research Analyst (480-858-2190)

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Barbara Simons, Code Inspector

Reviewed by: Drew Yocom, Planning & Research Analyst

**COMMENTS:**

Code Compliance is requesting approval to abate the Webb Property (2) located at 8630 S. Hazelton Lane, in the R1-7, Single Family Residential district. This case was initiated 07/06/2018, after which Code Compliance has attempted to obtain compliance through correspondence with the property owner regarding violations of the Tempe City Code.

Without the intervention of abatement the property will continue to deteriorate. It is therefore requested that the City of Tempe Community Development Hearing Officer approve a 180 day open abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code.

**HISTORY & FACTS:**

The history and facts of this case are detailed in an attached memo from the Code Compliance Inspector.



**Tempe**

**DATE:** August 29, 2018  
**TO:** Jeff Tamulevich, Code Compliance Administrator  
**FROM:** Jack Scofield, Code Inspector  
**SUBJECT:** CE184123, Webb Property Abatement

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**LOCATION:** 8630 S HAZELTON LN TEMPE, AZ 85284

**LEGAL:** ESTATE LA COLINA UNIT 4 MCR 269-33

**PARCEL:** 308-01-252

**OWNER:** WEBB ALFRED  
8630 S HAZELTON LN  
TEMPE, AZ 85284-2584

**FINDINGS:**

7/6/2018 The Code Compliance Division received a complaint for deteriorated landscape and deteriorated fence in the rear yard.

7/9/2018 Inspected property and found over height grass and weeds in the front and rear yards, dead vegetation in the front and rear yards, landscape debris in the front and rear yards, and a block fence that had been damaged from a palm tree. Mailed notice to comply to owner.

7/23/2018 Mailed final notice to comply to owner.

8/15/2018 Discovered large bee hive in the eave of the house in the rear yard. Mailed updated final notice to comply to owner with all violations to include bee hive.

8/15/2018 Issued civil citation.

8/29/2018 Owner failed to appear for court. Posted notice of intent to abate to property and mailed to property owner.

**RECOMMENDATIONS:**

I recommend an abatement of the nuisance violations at the property at 8630 S Hazelton Ln, due to property owner's failure to bring property into compliance with Tempe City Code 21-3.B.8, 21-3.B.15, and 21-3.B.20. Mr. Webb has been given ample time to come into compliance and maintain the property. The property owner has been issued a civil citation and has failed to appear to court. There has been no indication that the property owner will bring the property into compliance. The property represents a health hazard and an eyesore to the community.

Without the intervention of abatement the property will continue to deteriorate. I therefore make a request to the City of Tempe Community Development Hearing Officer for authorization to abate this public nuisance in accordance with section 21-53 of the Tempe City Code and authorization of multiple abatements for a period not to exceed one hundred eighty (180) days from the previous abatement order.

Respectfully submitted,

Jack Scofield  
Code Inspector II

ACTION TAKEN:

NAME

DATE:

Submit  
[Signature]  
8 29 18

CASE # CE184123



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 8/29/18

**WEBB ALFRED**  
**8630 S HAZELTON LN**  
**TEMPE, AZ 85284-2584**

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations on the following described property:

**Legal:** ESTATE LA COLINA UNIT 4 MCR 269-33  
**Location:** 8630 S HAZELTON LN TEMPE, AZ 85284  
**Parcel:** 308-01-252

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This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda of **10/02/2018**. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of:

1. **CUT OVER HEIGHT GRASS AND WEEDS IN THE FRONT AND REAR YARD.**
2. **REMOVE DEAD VEGETATION FROM THE FRONT AND REAR YARDS.**
3. **REMOVED LANDSCAPE DEBRIS FROM THE FRONT AND REAR YARDS.**
4. **REMOVE BEE HIVE AND BEE INFESTATION FROM EAVE OF THE RESIDENCE IN THE REAR YARD.**

As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct the violation. If the violations have not been corrected within thirty days, our office will proceed with the abatement process.

Upon receipt of the Hearing Officer approval to abate this public nuisance, the necessary work will be performed at the expense of the property owner. The cost of this work will be **\$1691.00**. In addition to the actual cost of abatement, an administrative charge of fifteen (15) percent of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the city for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate for judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property whether or not the public nuisance is abated by the City.

**If you have questions regarding this matter, please contact our office at (480) 350-8372.**

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**Code Inspector: Jack Scofield**  
**Phone Number: (480)350-8967**  
**E-mail: jack\_scofield@tempe.gov**



August 2, 2018

City of Tempe  
Attn: Jack Scofield  
Code Inspector

RE: Revised Clean up – 8630 S Hazelton

Thank you for giving Artistic Land Management, Inc the opportunity to serve your landscaping needs. Below is our price to provide all labor, equipment, landfill fees, and supervision to perform the work listed below at 8630 S Hazelton in the City of Tempe. Please give us a call for any questions you may have at 480-821-4966.

#### Scope of Work

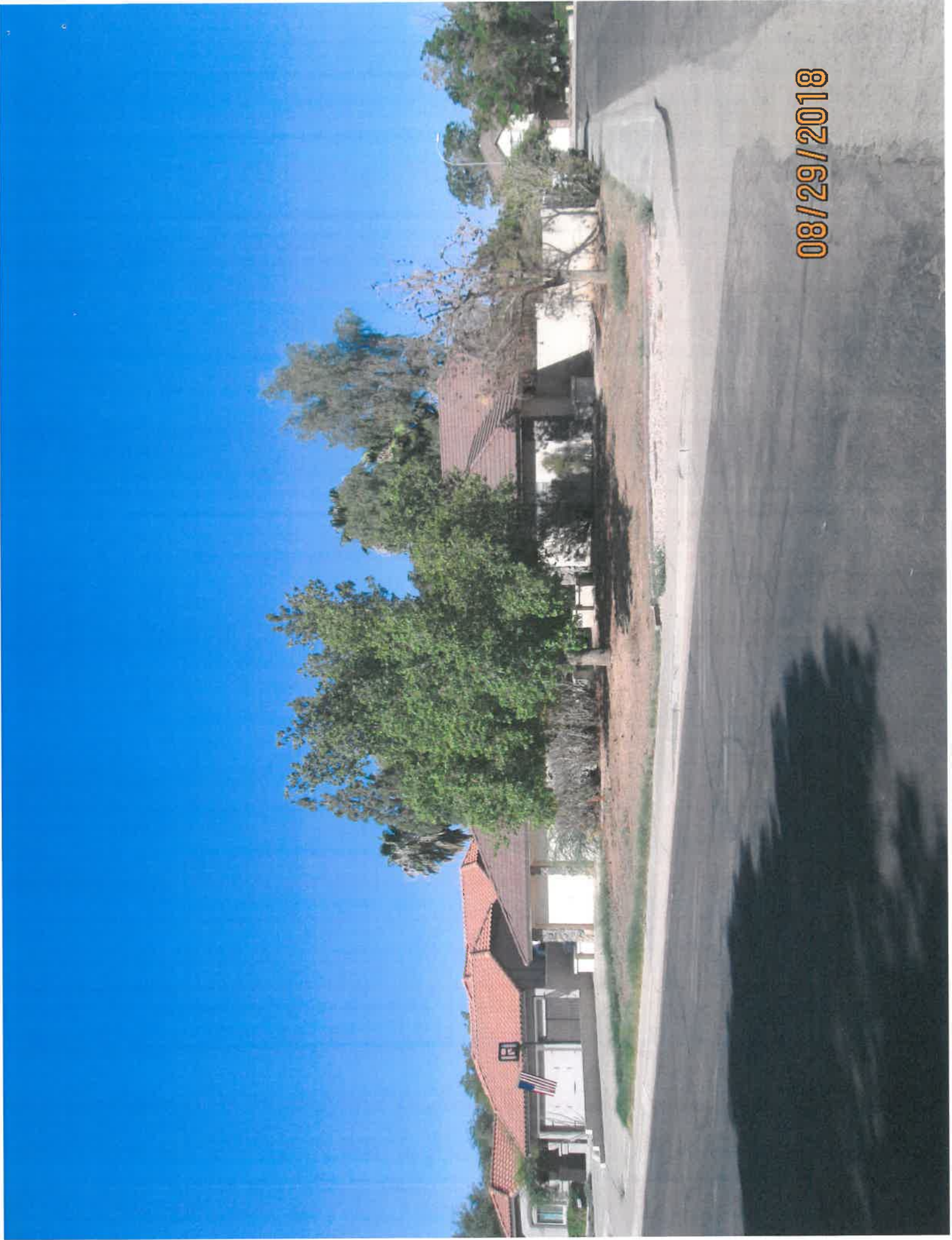
- Landscape clean up front and rear yards (to include removal of all dead trees and other dead vegetation)
- Removal of bee hive located by the rear gate in the backyard

Total = \$1,691.00

Respectfully,

Jose Hernandez

08/29/2018



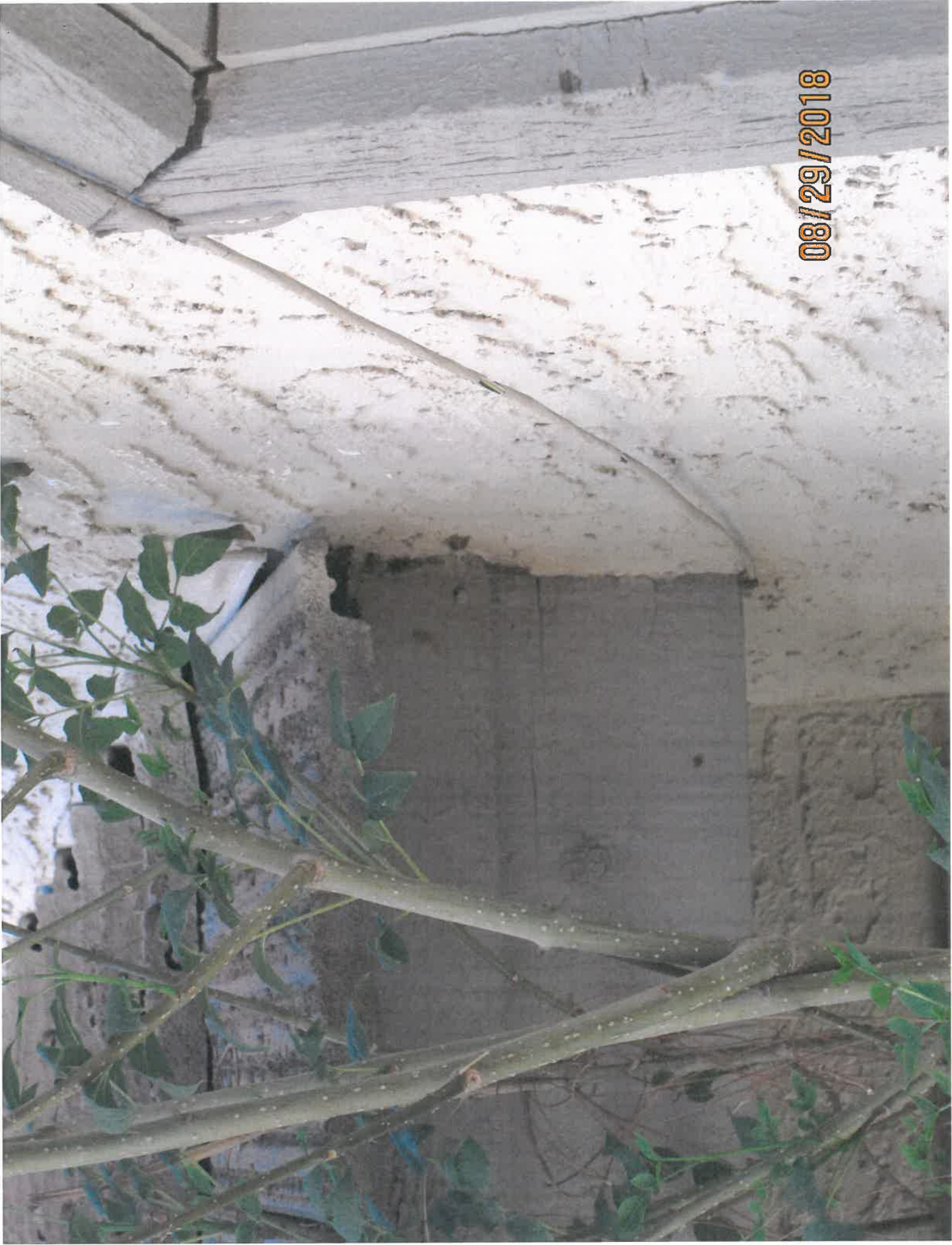




08/29/2018



08/29/2018

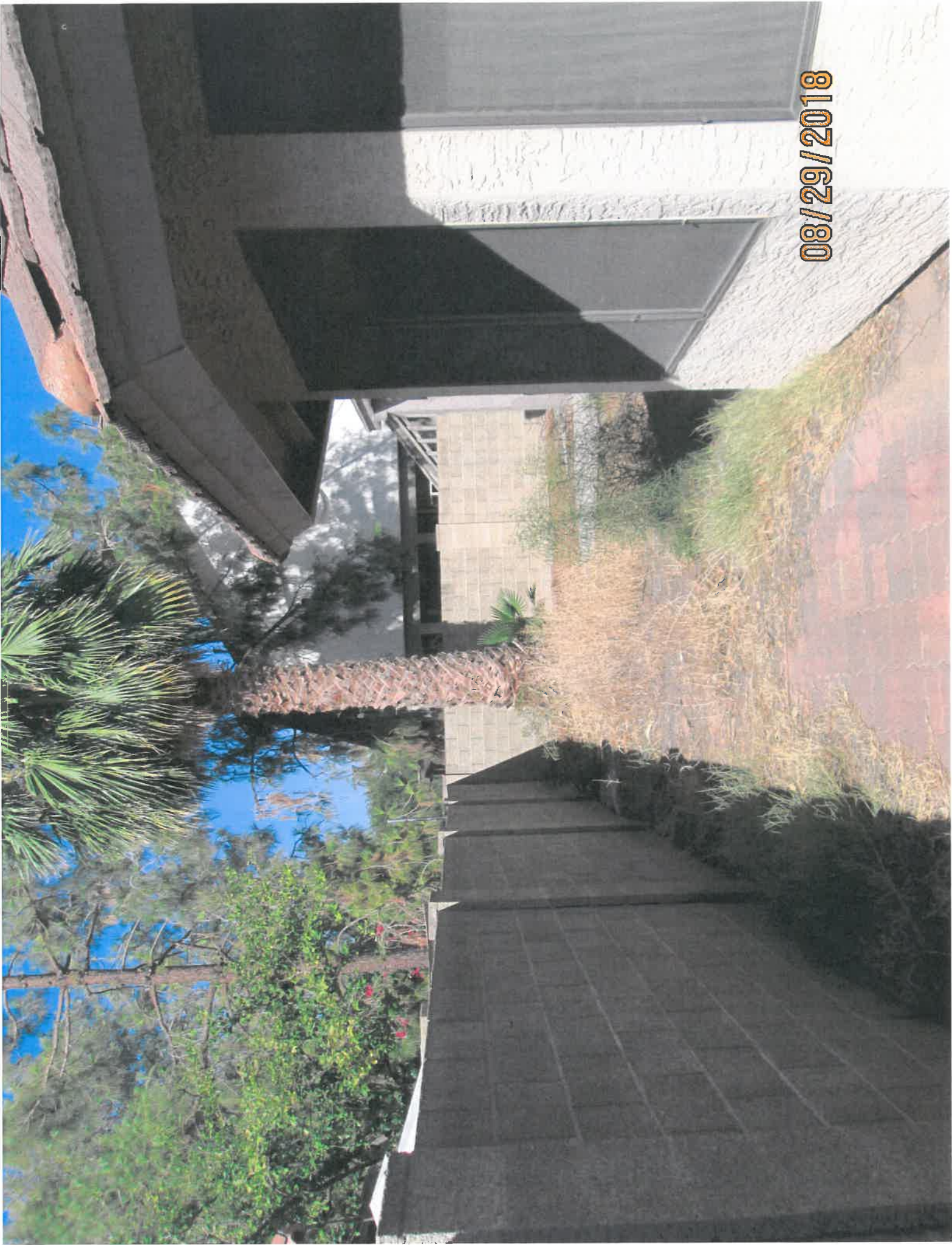




08/29/2018







08/29/2018



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE**

7/9/18

WEBB ALFRED  
8630 S HAZELTON LN  
TEMPE, AZ 85284-2584

Case#: CE184123  
Site Address: 8630 S HAZELTON LN TEMPE, AZ 85283

**SITE REINSPECTION ON OR AFTER: 07/23/2018**

This is a notice to inform you that this site was inspected on 7/9/18 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

**VIOLATION SECTION:**

**Violation of City of Tempe Code 21-3-B-8**

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

**Violation of City of Tempe Code 21-3-B-15**

Any wall or fence that is missing blocks, boards or other material, or is otherwise deteriorated so as to constitute a hazard to persons or property. This includes but is not limited to, leaning or damaged fences, fences missing slats or blocks or any other materials that are otherwise broken or damaged in such amounts as to present a deteriorated or slum-like appearance. All replacement materials shall be uniform, compatible and consistent with the design thereof.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:**

1. CUT OVER HEIGHT GRASS AND WEEDS IN THE FRONT AND REAR YARD.
2. REMOVE DEAD VEGETATION FROM THE FRONT AND REAR YARDS.
3. REMOVED LANDSCAPE DEBRIS FROM THE FRONT AND REAR YARDS.
4. REPAIR OR REPLACE SECTION OF DAMAGED REAR YARD FENCE. REPLACEMENT MATERIALS MUST BE CONSISTANT AND COMPATABLE WITH EXISTING FENCE.

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Jack Scofield  
Code Inspector II  
E-Mail

Direct: 480-350-8967  
Code Compliance: 480-350-8372  
jack\_scofield@tempe.gov

Please Note: In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$75.00 pursuant to City Code Section 21-51, subsection (b).

#### **Civil and Criminal Penalties**

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.





**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE**

7/23/18

**WEBB ALFRED  
8630 S HAZELTON LN  
TEMPE, AZ 85284-2584**

Case#: CE184123  
Site Address: 8630 S HAZELTON LN TEMPE, AZ 85283

**SITE REINSPECTION ON OR AFTER: 08/06/2018**

This is a notice to inform you that this site was inspected on 7/23/18 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

**VIOLATION SECTION:**

**Violation of City of Tempe Code 21-3-B-8**

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

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Any wall or fence that is missing blocks, boards or other material, or is otherwise deteriorated so as to constitute a hazard to persons or property. This includes but is not limited to, leaning or damaged fences, fences missing slats or blocks or any other materials that are otherwise broken or damaged in such amounts as to present a deteriorated or slum-like appearance. All replacement materials shall be uniform, compatible and consistent with the design thereof.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:**

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- 2. REMOVE DEAD VEGETATION FROM THE FRONT AND REAR YARDS.**
- 3. REMOVED LANDSCAPE DEBRIS FROM THE FRONT AND REAR YARDS.**
- 4. REPAIR OR REPLACE SECTION OF DAMAGED REAR YARD FENCE. REPLACEMENT MATERIALS MUST BE CONSISTANT AND COMPATABLE WITH EXISTING FENCE.**

**CORRECTIVE ACTION MUST BE COMPLETED OR A \$400.00 CITATION WILL BE ISSUED.**

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Jack Scofield  
Code Inspector II  
E-Mail**

**Direct: 480-350-8967  
Code Compliance: 480-350-8372  
jack\_scofield@tempe.gov**

Please Note: In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$75.00 pursuant to City Code Section 21-51, subsection (b).

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**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE**

8/1/18

WEBB ALFRED  
8630 S HAZELTON LN  
TEMPE, AZ 85284-2584

Case#: CE184123

Site Address: 8630 S HAZELTON LN TEMPE, AZ 85283

**SITE REINSPECTION ON OR AFTER: 08/15/2018**

This is a notice to inform you that this site was inspected on 8/1/18 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

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**Violation of City of Tempe Code 21-3-B-20**

To leave or permit to remain on any property, areas infested with insects or rodents including, but not limited to: bees, wasps, hornets, yellow jackets, mice, rats, or roaches, in an amount that may become a hazard to public health or safety.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:**

1. CUT OVER HEIGHT GRASS AND WEEDS IN THE FRONT AND REAR YARD.
2. REMOVE DEAD VEGETATION FROM THE FRONT AND REAR YARDS.
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5. REMOVE BEE HIVE AND BEE INFESTATION FROM EAVE OF THE RESIDENCE IN THE REAR YARD.

**CORRECTIVE ACTION MUST BE COMPLETED OR AN \$800.00 CITATION WILL BE  
ISSUED.**

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Jack Scofield**  
**Code Inspector II**  
**E-Mail**

**Direct: 480-350-8967**  
**Code Compliance: 480-350-8372**  
**jack\_scofield@tempe.gov**

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# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1701629</b>		Case Number		Social Security Number		Military		<input type="checkbox"/> Serious Physical Injury		<input type="checkbox"/> Accident <input type="checkbox"/> Fatality		<input type="checkbox"/> Commercial <input type="checkbox"/> Haz. Material	
Driver's License No.				DLP <input type="checkbox"/> State <input type="checkbox"/> Class <input type="checkbox"/>		Endorsements M H N P T X D				Incident Report Number <b>CE184123</b>			
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language													
Defendant		Name (First, Middle, Last) <b>Alfred Webb</b>										Juvenile	
Residence Address, City, State, Zip Code <b>8630 S Hazelton Ln Tempe, AZ 85284</b>												Telephone: (cell phone) <input type="checkbox"/>	
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions	Email Address					
Business Address, City, State, Zip Code												Business Phone No.	
Vehicle		Color	Year	Make	Model	Style	License Plate	State	Expiration Date				
Registered owner & address, City, State, Zip Code								Vehicle Identification Number					
The Undersigned Certifies That:													
On	Month <b>08</b>	Day <b>15</b>	Year <b>2018</b>	Time <b>0930</b>	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Speed	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace			Direction of Travel
At	Location <b>8630 S. Hazelton Ln</b>								<input checked="" type="checkbox"/> Tempe	State of Arizona			Area Dist.
The Defendant Committed the Following:													
<b>A</b>	Section: <b>21-3 B 8</b>		ARS CC	Violation: <b>Deteriorated Landscape</b>				<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic <input checked="" type="checkbox"/> Municipal Code			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense				
MVD													
<b>B</b>	Section: <b>21-3 B 15</b>		ARS CC	Violation: <b>Deteriorated fence</b>				<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic <input checked="" type="checkbox"/> Municipal Code			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense				
MVD													
<b>C</b>	Section: <b>21-3 B 20</b>		ARS CC	Violation: <b>Bee Infestation</b>				<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic <input checked="" type="checkbox"/> Municipal Code			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense				
MVD													
<b>D</b>	Section:		ARS CC	Violation:				<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic <input type="checkbox"/> Municipal Code			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense				
MVD													
<b>E</b>	Section:		ARS CC	Violation:				<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic <input type="checkbox"/> Municipal Code			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense				
MVD													
You must appear on the date and time indicated at:		Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753		<input checked="" type="checkbox"/> Traffic Court		Date: <b>08/29/2018</b>		Time: Between 9AM & 4PM					
				<input type="checkbox"/> Criminal Court		Date:		Time:		<input type="checkbox"/> AM <input type="checkbox"/> PM			
		Court:		Date:		Time:		<input type="checkbox"/> AM <input type="checkbox"/> PM		Court No.			
Court Address, City, State, Zip Code													
Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.						Victim? <input type="checkbox"/> Victim Notified? <input type="checkbox"/>							
Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.						I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.							
<b>X</b>						Complainant				70003 PSN			
Comments: Juvenile Notification: Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday. Initials _____													
Date issued if not violation date													

COMPLAINT



1701629